

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PODIATRY EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 25, Board of Podiatry Examiners
Article and its heading: 1, General Provisions
2, Examinations
3, Licenses
4, Rehearing
5, Continuing Education
6, Dispensing of Drugs and Devices

Section numbers: R4-25-101, R4-25-102, R4-25-103, R4-25-201, R4-25-203,
R4-25-304, R4-25-305, R4-25-401, R4-25-501, R4-25-502,
R4-25-503, R4-25-504, R4-25-505, R4-25-602, R4-25-603,
R4-25-604, and R4-25-605. (The Board may add, delete, or modify
additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
In 2000, the Board reviewed its rules as required by A.R.S. § 41-1056 and determined the rules needed clarification because they did not conform to current rulewriting style and format requirements. Additionally, new rules need to be written to conform to legislation that was passed in 2000. The Board is adding definitions so that the rules may be used effectively and consistently by intended audiences.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Linda Wells, Executive Director
Address: 1400 W. Washington, Room 230
Phoenix, AZ 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept written comments at the location listed above between 8:00 a.m. and 5:00 p.m., Monday through Friday, until the close of record.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY - ADMINISTRATION

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 1, Department of Environmental Quality - Administration
Article and its heading: 5, Licensing Time-frames
Section numbers: Table 6, Table 6-E, Table 6-N, Table 6-S, Table 7, Table 7-N, Table 7-S, Table 10, and Table 12.
- 2. The subject matter of the proposed rule:**
This rulemaking updates the licensing time-frames for rules that were repealed or amended in January 2001 and no longer apply to the current Aquifer Protection or Reclaimed Water permitting programs, including repealing the time-frames for wastewater approval-to-construct (ATC) and approvals of construction (AOC) licenses, which no longer exist. The rule-making carries forward time-frames for "noneffluent groundwater recharge licenses" and "pesticide contamination prevention licenses," currently in Table 10, Group VIII, and Group V, respectively. The rulemaking amends Table 12 to coincide with the January 1, 2001 Section numbering changes of the Aquifer Protection Permitting program and transfers the biosolid applicator registration request acknowledgment from Table 12 to Table 10, now authorized under A.R.S. § 49-255.03. The rulemaking includes licensing time-frames for individual permits and pretreatment approvals under the Arizona Pollutant Discharge Elimination System (AZPDES) permitting program.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 6 A.A.R. 4612, December 8, 2000
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley J. Conard

Address: Arizona Department of Environmental Quality
3033 N. Central Avenue, M0401A-422
Phoenix, AZ 85012-2809

Telephone: (602) 207-4632
Fax: (602) 207-4674
E-mail: conard.shirley@ev.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Comments will be accepted until the close of record which has not yet been determined.
- 6. A timetable for agency decisions or other action in the proceeding, if known:**
None

NOTICE OF RULEMAKING DOCKET OPENING

WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 15, Water Infrastructure Finance Authority of Arizona
Article and its heading: 1, Management
Section numbers: R18-15-107 (As part of this rulemaking, other Sections and Articles may be added or deleted as necessary.)
- 2. The subject matter of the proposed rule:**
This rulemaking proposes to revise the methodology and criteria for reviewing and ranking applications for financial and technical assistance, in order to permit the Water Infrastructure Finance Authority of Arizona to disburse monies to communities to conceive, develop, plan, and design infrastructure improvements related to the treatment of arsenic and other contaminants.
- 3. A citation to all published notices relating to the proceeding:**
None

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4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Greg Swartz, Executive Director
Address: Water Infrastructure Finance Authority of Arizona
202 E. Earl Drive, Suite 480
Phoenix, AZ 85012
Telephone: (602) 230-9770
Fax: (602) 230-1480

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Authority will publish a Notice of Proposed Rulemaking in the *Arizona Administrative Register*, at which time it will accept comments until the close of record date referenced in the Notice. All comments should be in writing and submitted to the attention of the agency personnel referenced above. The Notice will also contain information on the time and place of any proceedings scheduled by the Authority at which oral comments may be made.

6. A timetable for agency decisions or other action on the proceeding, if known:

It is anticipated that a Notice of Proposed Rulemaking will be filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* in June 2002, and that a Notice of Final Rulemaking will be filed with the Governor's Regulatory Review Council in August 2002. Contact the person named above for the current status of the rulemaking or to arrange for interested parties to inspect the proposed rule; any written submissions on the proposed rule; the economic, small business, and consumer impact statement; or the minutes of any pertinent meeting.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

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| 1. <u>Title and its heading:</u> | 20, Commerce, Banking and Insurance |
| <u>Chapter and its heading:</u> | 6, Department of Insurance |
| <u>Article and its heading:</u> | 19, Health Care Services Organizations Oversight |
| <u>Section numbers:</u> | To be determined |

2. Subject matter of the proposed rule:

In 2000, the Arizona legislature passed SB 1330. Under SB 1330, effective July 1, 2001, regulatory authority over health care service organizations (HCSOs), previously bifurcated between the Arizona Department of Health Services and the Arizona Department of Insurance (ADOI), became consolidated under ADOI.

Under Laws 2000, Chapter 356 § 26, ADOI filed exempt temporary rules for oversight of HCSOs with the Secretary of State on June 7, 2001. These temporary exempt rules become effective July 1, 2001. At the same time that the Department filed that exempt rulemaking, it also filed a Notice of Rulemaking Docket Opening (Notice) for a permanent rulemaking regulating HCSOs to comply with Arizona Revised Statutes, Title 41, Chapter 6. That Notice became effective on June 29, 2001 and is effective for one year under A.R.S. § 41-1021. This renews that Notice which will expire after one year.

The principal effect of the consolidated regulatory structure is to bring new responsibilities to ADOI. ADOI will define basic health services and maintain, make determinations under, and enforce rules that establish whether an HCSO provides for basic health care services and whether it constitutes an effective mechanism to achieve an effective health care plan. ADOI retains authority to review, approve, suspend, or revoke certificates of authority for HCSOs.

ADOI has convened a formal advisory committee to advise ADOI regarding this rulemaking.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 7 A.A.R. 2778, June 29, 2001

Notice of Exempt Rulemaking: 7 A.A.R. 2769, June 29, 2001

Notice of Formal Rulemaking Advisory Committee: 8 A.A.R. 2116, May 10, 2002

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Margaret L. McClelland
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018

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Telephone: (602) 912-8456

Fax: (602) 912-8452

5. The time during which written submission may be made and the time and place where oral comments may be made:

The Department will accept written comments during a public comment period that will be published in the Notice of Proposed Rulemaking. The Department will schedule oral proceedings, within the statutorily mandated time-frame, to be published in the *Arizona Administrative Register*.

6. A timetable for agency decisions or other action in the proceeding:

The Department expects to file a Notice of Proposed Rulemaking in 2003.